

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 Case No.: 2:19-cv-00088-JAD-CWH

4 Jaime Raul Sanchez,

5 Plaintiff

6 v.

7 Allied Universal Security Services,

8 Defendant

Order Adopting
Report & Recommendation

[ECF No. 3]

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11 Pro se plaintiff Jaime Raul Sanchez sues Allied Universal Security Services, the security
12 service for the Regional Transit Center, for denying him access to the public bathrooms at the
13 Bonneville Transition Center. Magistrate Judge Hoffman has screened his complaint and
14 recommends that I dismiss it for lack of subject-matter jurisdiction and with leave to amend
15 because the basis for this court's jurisdiction is not clear from the face of the complaint due to
16 conflicting allegations about Sanchez's place of citizenship.¹ The deadline for Sanchez to object
17 to that recommendation was February 11, 2019, and Sanchez filed no objections. "[N]o review
18 is required of a magistrate judge's report and recommendation unless objections are filed."²
19 Having reviewed the R&R, I find good cause to adopt it, and I do.

20 Accordingly, IT IS HEREBY ORDERED that the Magistrate Judge's Report and
21 Recommendation [ECF No. 3] is **ADOPTED** in its entirety. **Sanchez's complaint is**
22 **DISMISSED without prejudice for lack of subject-matter jurisdiction. Sanchez has until**
23 **April 11, 2019, to file an amended complaint** that includes clear and true factual allegations
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26 ¹ ECF No. 3 at 2–3.

27 ² *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474
28 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 regarding his citizenship so that the court can properly determine whether it has jurisdiction over
2 this action, and which cures the problems identified in the Magistrate Judge's Report and
3 Recommendation [ECF No. 3]. He must use the court's form and place the word "Amended"
4 above "Complaint for a Civil Case."

5 Sanchez is advised that if he chooses to file an amended complaint, an amended
6 complaint supersedes the original complaint and, thus, the amended complaint must be complete
7 in itself.³ So Sanchez's amended complaint must contain all claims, defendants, and factual
8 allegations that he wishes to pursue in this lawsuit. He must title the document "Amended
9 Complaint." If Sanchez chooses to file an amended complaint, he must do so by **April 11, 2019**,
10 or the court will deem this case as abandoned, and this case will be closed without further notice.

11 **The Clerk of Court is directed to SEND Sanchez the form for a Pro Se Complaint**
12 **for a Civil Case along with this order and a copy of the Magistrate Judge's Report and**
13 **Recommendation [ECF No. 3].**

14 Additionally, as the Magistrate Judge's February 21, 2019, Order requires [ECF No. 9],
15 Sanchez must file a notice with his current address by March 22, 2019.

16 Dated: March 12, 2019

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18 U.S. District Judge Jennifer A. Dorsey
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26 ³ See *Hal Roach Studios, Inc. v. Richard Feiner & Co.*, 896 F.2d 1542, 1546 (9th Cir. 1989)
27 (holding that "[t]he fact that a party was named in the original complaint is irrelevant; an
28 amended pleading supersedes the original"); see also *Lacey v. Maricopa Cty.*, 693 F.3d 896, 928
(9th Cir. 2012) (holding that for claims dismissed with prejudice, a plaintiff is not required to
re-allege such claims in a subsequent amended complaint to preserve them for appeal).